REMARKS

This application has been carefully reviewed in light of the Office Action dated March 25, 2004 (Paper No. 5). Claims 1, 3, 4, 6 to 13, 15 to 32, 35 to 42, and 44 to 47 are in the application, of which Claims 1, 13, 23, 27, 37 and 46 are independent. Reconsideration and further examination are respectfully requested.

Applicant thanks the Examiner for his indication of allowable subject matter in Claims 5 to 7, 14 to 25, 34, 35 and 43 to 45. Based on that indication, the following actions have been taken.

The substance of allowable Claim 5, together with Claim 2 from which it depended, was incorporated into independent Claim 1, and Claims 2 and 5 were cancelled. Claim 13 was rewritten in independent form, including the substance of allowable Claim 14. Allowable Claim 23 was rewritten into independent form. The substance of allowable Claim 34, together with Claim 33 from which it depended, was incorporated into independent Claim 27, and Claims 33 and 34 were cancelled. The substance of allowable Claim 43 was incorporated into independent Claim 37. Claim 46 has been rewritten to include features of allowable Claim 34. Finally, the dependency of other claims has been adjusted. In view of these amendments, it is believed that all claims are now fully in condition for allowance.

Claim 48 was rejected under 35 U.S.C. § 112, first and second paragraphs. Since this claim has been cancelled without prejudice or disclaimer of subject matter, and

without conceding the correctness of any rejections applied against it, the rejections are moot.

Claims 1 to 4, 8 to 13, 26 to 33, 36 to 42, 46 to 48 were rejected under 35 U.S.C. § 103(a) over the article to Kim, et al. ("Robust 3-D Depth Estimation Using Genetic Algorithm in Stereo Image Pairs", Proceedings of IEEE Asia Pacific Conference on Circuits and Systems, pp. 357 to 360, Nov. 18-21, 1996, Seoul Korea), in view of the article to Wei, et al. ("Intensity- and Gradient-Based Stereo Matching Using Hierarchical Gaussian Basis Functions", IEEE Transactions on Pattern Analysis and Machine Intelligence, pp. 1143-1160, Vol. 20, No. 11, Nov. 1998). The foregoing actions have been taken without prejudice or disclaimer of subject matter, and without conceding the correctness of these rejections in an effort to secure an earlier allowance of the application.

Applicant's' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

Michael K. O'Neill
Attorney for Applicant

Registration No. 32,622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

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